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JOSE BONILLA
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 JOSE BONILLA,

16 Defendant.
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CASE NO. CR-07-00251 RMW

NOTICE OF MOTION TO
WITHDRAW PLEAS OF GUILTY
BY DEFENDANT JOSE BONILLA

Date: 1/12/09
Time: 9:00 am
Hon. Ronald M. Whyte

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19 PLEASE TAKE NOTICE that on January 12, 2009, at 9:00 am, or as soon
20 thereafter as the matter may be heard, at the United States District Court, 280
21 So. First Street, San Jose, California, before the Honorable Ronald M. Whyte,
22 the Defendant, JOSE BONILLA, by and through his attorney, ROBERT E. CAREY,
23 JR., will and does hereby move the Court to allow him to withdraw his
24 previously entered pleas of guilty to both counts of the indictment in this case
25 (which alleged firearms offenses) pursuant to Rule 11(D)(2)(b), Federal Rules
26 of Criminal Procedure.

27 Such motion will be based upon this Notice of Motion, the attached Motion
28 and Memorandum of Points and Authorities, and any further pleadings filed on

1 behalf of Mr. BONILLA, as well as that argument and/or evidence adduced at
2 the hearing of this motion.

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4 DATED: January 7, 2009

Respectfully submitted,

5 CAREY & CAREY

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7 /S/
8 ROBERT E. CAREY, JR. Attorneys for
9 Defendant JOSE BONILLA
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